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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff.

**NOTICE OF CONVENTIONAL  
FILING OF EXHIBITS TO SCO'S  
MEMORANDUM IN SUPPORT OF  
SCO'S MOTION FOR PARTIAL  
SUMMARY ON SCO'S THIRD CAUSE  
OF ACTION FOR BREACH OF  
CONTRACT**

Case No. 2:03CV0294DAK

Honorable Dale A. Kimball  
Magistrate Judge Brooke C. Wells

**PLEASE TAKE NOTICE THAT** Plaintiff has conventionally filed the original and two copies of the following documents:

1. AT&T - Sequent Software Agreement.
2. AT&T - Sequent Sublicensing Agreement.
3. David Frasure Deposition Transcript (6/8/04) at 178.
4. David Frasure BSD Deposition Transcript (12/8/92) at 113, 121.
5. Geoffrey Green Deposition Transcript (11/15/04) at 113, 130-31.
6. Burt Levine Deposition Transcript (1/19/05) at 38, 40-41, 47, 268.
7. Otis Wilson Deposition Transcript (8/25/06) at 120.
8. David Rodgers Deposition Transcript (6/10/04) at 27, 31-32, 138.
9. Roger Swanson Deposition Transcript (1/17/06) at 52, 82.
10. Thomas Cronan Deposition Transcript (12/14/04) at 40.
11. Jeffrey Mobley Deposition Transcript (1/24/06) at 50.
12. Edward Kennedy Deposition Transcript (3/3/06) at 192.
13. Declaration of Ira Kistenberg (11/12/04) ¶ 5.
14. Michael DeFazio Deposition Transcript (1/13/05) at 223.
15. Declaration of Mitzi Bond (11/4/04) ¶ 11(e).
16. Letter from Roger Swanson to Ira Kistenberg, dated May 14, 1987 (1710097859).
17. William Sandve Deposition Transcript (11/19/04) at 11.
18. Report of SCO Expert Marc Rochkind (5/19/06).
19. Rebuttal Report of SCO Expert Marc Rochkind (8/28/06).

**20.** Rebuttal Report of SCO Expert Tom Cargill (8/28/06).

These documents have not been filed electronically because:

☐ it cannot be converted to electronic format

☒ the electronic file size of this material exceeds 2 megabytes (MB)

☐ the Court by order has excused electronic filing

☒ it is exempt from electronic filing pursuant to § F(4)(e) of the ECF Policy & Procedures Manual (*sealed document*)

These documents have been served conventionally on all parties.

DATED this 25th day of July, 2006.

HATCH, JAMES & DODGE, P.C.  
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By: /s/ Brent O. Hatch  
*Counsel for The SCO Group, Inc.*

**CERTIFICATE OF SERVICE**

Plaintiff, The SCO Group, Inc., hereby certifies that a true and correct copy of the foregoing was served on Defendant International Business Machines Corporation on the 25th day of September, 2006, by CM/ECF to the following:

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/s/ Brent O. Hatch\_\_\_\_\_